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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ronald S. Lizzi Art Unit: 2841  
Serial No.: 10/730,200 Docket No.: AO700  
Filing Date December 5, 2003 (as amended)  
Title: Wearable Electronic Device with Mode Operation Indicator

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Attached are the following documents in connection with the above-referenced application:

1. Petition to Correct a Filing Date (1 sheet)
2. Express Mail Post Office to Addressee - Customer Copy of Label No. ER377148160US (1 sheet)
3. Copy of Utility Patent Application Transmittal (1 sheet)
4. Copy of Return receipt post card (1 sheet)
5. Copy of Filing Receipt (1 sheet)

No fee is believed due with the filing of this petition. However, if a fee is found to be due, please charge deposit account No. 50-0447.

CERTIFICATE OF MAILING


Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the United States Postal Service in an envelope address with sufficient postage as first class mail to:

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
Florence S. Chamoures

Date: August 12, 2004

By:   
Arthur G. Schaier, Reg. 37,715  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110  
(203) 575-2629



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ronald S. Lizzi Art Unit: 2841  
Serial No.: 10/730,200 Docket No.: AO700  
Filing Date December 5, 2003 (as amended)  
Title: Wearable Electronic Device with Mode Operation Indicator

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO CORRECT A FILING DATE**

The undersigned hereby petitions the Office to accord a filing date of **December 5, 2003** for the above-referenced patent application. The application was accorded the filing date of December 8, 2003.

Upon review of the Filing Receipt, dated August 9, 2004, the undersigned noted a discrepancy between the filing date accorded by the Office and the date of deposit under 37 CFR 1.10. Attached are copies of the following documents in support of this petition:

1. Express Mail Post Office to Addressee - Customer Copy of Label No. ER377148160US, date-stamped by the USPS on December 5, 2003
2. Utility Patent Application Transmittal, dated December 5, 2003
3. Return receipt post card, indicating the date of deposit as December 5, 2003
4. Filing Receipt

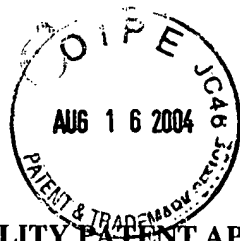
As evidenced by the supporting documentation, correspondence was deposited on December 5, 2003 using the Express Mail Post Office to Addressee service of the U.S. Postal Service under 37 C.F.R. 1.10. Favorable action is earnestly solicited in response to this petition.

Respectfully submitted,

By: Arthur G. Schaier

Arthur G. Schaier, Reg. 37,715  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110  
(203) 575-2629

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Attorney Docket No. AO700

**UTILITY PATENT APPLICATION TRANSMITTAL**

Enclosed for filing is the patent application of Inventor(s):

Ronald S. Lizzi

**TITLE:** WEARABLE ELECTRONIC DEVICE WITH MODE OPERATION INDICATOR

**ENCLOSED ARE:**

- [X] Application: (Specification, 16 sheets; Claims, 5 sheets; & Abstract, 1 sheet)
- [X] Drawings (8 figures; 8 sheets)
- [X] Declaration and Power of Attorney: (2 sheets)
- [X] Recordation Form Cover Sheet (Form PTO-1595) (2 copies)
- [X] Assignment (2 sheets)
- [X] Information Disclosure Statement (1 sheet)
- [X] Information Disclosure Citation (Form PTO-1449)
- [X] Nonpublication Request Under 35 USC 122(b)(2)(B)(i)

**FEE COMPUTATION**

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770
Total Claims	23 - 20 =	3	X \$18 =	54
Indep. Claims	3 - 3 =	0	X \$86 =	0
TOTAL FILING FEE				\$824

Please charge Deposit Account No. 50-0447 in the amount of the total filing fee indicated above, plus any deficiencies. A duplicate copy of this transmittal is attached.

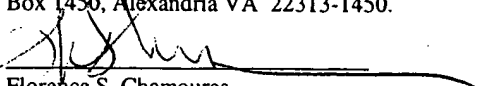
The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 50-0447:

- 37 CFR 1.16(a), (f) or (g) (filing fees);
- 37 CFR 1.16(b), (c) and (d) (presentation of extra claims);
- 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application); and
- 37 CFR 1.17 (application processing fee).


As indicated in the enclosed Declaration, please send all future correspondence to Arthur G. Schaier, Carmody & Torrance LLP, P.O. Box 1110, 50 Leavenworth Street, Waterbury, CT 06721-1110.

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Utility Patent Application Transmittal and the documents referred to as attached therein are being deposited with the U.S. Postal Service on this December 5, 2003 in an envelope as "Express Mail Post Office to Addressee," Mailing Label No. ER377148160US addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

  
Florence S. Chamoures

Respectfully submitted,

By:   
Arthur G. Schaier, Reg. 37,715  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110  
(203) 575-2629



RETURN RECEIPT POSTCARD

(Please date stamp this postcard and return to Carmody & Torrance)

RE: Ronald S. Lizzi

TITLE: WEARABLE ELECTRONIC DEVICE WITH MODE OPERATION

INDICATOR

DOCKET NO.: AO700

SERIAL NO.: To be assigned

FILING DATE: Concurrently herewith

Enclosed are the following items sent via Express Mail, Mailing Label No. ER377148160US, on December 5, 2003, to Mail Stop Patent Application, Commission for Patent and Trademark, Intellectual Property Dept.

VA 22313-1450, regarding the above application:

Return receipt post card, self-addressed, prepaid

New utility Application Transmittal (2 copies)

Application: (Specification, 16 sheets; Claims, 5 sheets; & Abstract, 1 sheet)

Drawings (8 figures / 8 sheets)

Declaration and Power of Attorney: (2 sheets)

Declaration Form Cover Sheet (Form PTO-1595) (2 copies)

Recordation Form (1 sheet)

Assignment (2 sheets)

Information Disclosure Statement (Form PTO-1449)

Information Disclosure Citation (Form PTO-1449)

Information Request Under 35 USC 122(b)(2)(B)(i)

Nonpublication Request Under 35 USC 122(b)(2)(B)(ii)

10.

DATE OF DEPOSIT: December 5, 2003

22141 U.S. PTO

101730200

120803

DEC 16 2003

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Carmody & Torrance LLP

Intellectual Property Dept.

Box 1000 Alexandria, VA 22304



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FROM: (PLEASE PRINT) Arthur G. Schaefer, Esq.  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110

PHONE: ( ) - -

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**TO: (PLEASE PRINT)** Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/730,200	12/08/2003	2841	824	AO700	8	23	3

Arthur G. Schaier  
Carmody & Torrance LLP  
50 Leavenworth Street  
P.O. Box 1110  
Waterbury, CT 06721-1110

Carmody & Torrance LLP  
**RECEIVED**

AUG 11 2004

CONFIRMATION NO. 2138

FILING RECEIPT



\*OC000000013478397\*

Date Mailed: 08/09/2004

Intellectual Property Dept.

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ronald S. Lizzi, Bethany, CT;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 08/07/2004

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Wearable electronic device with mode operation indicator

Preliminary Class

368